

# DETROIT CITY COUNCIL

## FORMAL SESSION

SEPTEMBER 14, 2021

10:00 A.M.

### NEW BUSINESS

#### UNFINISHED BUSINESS

1. **Tate**, an ordinance to amend Chapter 50 of the 2019 Detroit City Code, *Zoning*, by amending Article XVII, Zoning District Maps, Section 50-17- 2, *District Map No. 1* to change the current zoning classification from a PD (Planned Development District) to an SD2 (Special Development District, Mixed-Use) for the property commonly identified as 1601 Bagley Street bounded by Bagley Street, Trumbull Street, Labrosse Street and Rosa Parks Boulevard to redevelop the site for new mixed-use, multi-unit apartments. **(SIX (6) VOTES REQUIRED AND SHALL BECOME EFFECTIVE ON THE 8<sup>TH</sup> DAY AFTER PUBLICATION) ROLL CALL**

#### OFFICE OF CONTRACTING AND PROCUREMENT

2. **Benson**, reso. autho. **Contract No. 6003085** - REVENUE – To Provide Dental Clinical Services to Eligible Persons within the City’s Service Areas. – Contractor: My Community Dental Centers – Location: 3890 Charlevoix, Petoskey, MI 49770 – Contract Period: Upon City Council Approval through January 31, 2026 – Revenue Amount: Collect 5%-10% of the Administrative Services for Dental (Average \$50 Per Resident Served) **HEALTH (COUNCIL MEMBER JANEY AYERS HELD DURING THE RECESS PROCEDURE OF AUGUST 31, 2021) (REPORTED OUT OF THE PUBLIC HEALTH AND SAFETY STANDING COMMITTEE ON 9-13-21 PENDING CLARITY ON CLEARANCE)**
3. **Benson**, reso. autho. **Contract No. 3050646** - 100% City Funding – To Provide City of Detroit Employee Parking Spots at 81 Erskine, Detroit. – Contractor: Premier Parking of Michigan – Location: 1001 Woodward Avenue Suite 1150, Detroit, MI 48226 – Contract Period: July 5, 2021 through July 5, 2022 – Total Contract Amount: \$120,000.00. **TRANSPORTATION (REPORTED OUT OF THE PUBLIC HEALTH AND SAFETY STANDING COMMITTEE ON 9-13-21)**

#### LAW DEPARTMENT

4. **Jones**, Proposed Ordinance to amend Chapter 46 of the 2019 Detroit City Code, *Traffic and Vehicles*, Article I, *Generally*, Division 2, *Violations and Penalties*, by amending Section 46-1-33, *Sections deemed to be misdemeanors; penalties*; and Article II, *Enforcement*, Division 4, Impoundment of vehicles by amending Section 46-2-61, *Authority to create vehicle pounds; hours of operation of same*, and by amending and renaming Division 5, *Towing*, to divide the division into Subdivision

A, *Generally*, to include Section 46-2-81, *Purpose, scope, and enforcement*, Section 46-2-82, *Definitions*, and Section 46-2-83, *Misdemeanor violation; aiding and abetting violation; continuing violation; penalties for conviction thereof*; Subdivision B, *Police Authorized Towing* to include Section 46-2-91, *Tow rates for police authorized towing*, Section 46-2-92, *Standards for authorized towers*, Section 46-2-93, *Establishment, approval, and publication of towing, storage, and administrative fees*, Section 46-2-94, *One hook-up for successive tows*, Section 46-2-95, *When authorized*, Section 46-2-96, *Requirements*, Section 46-2-97, *Payment*, Section 46-2-98, *Release of stored vehicle*, and to repeal the current Section 46-2-88, *Storage of vehicles generally*, and to add Subdivision C, *Non-Consensual Towing*, to include Section 46-2-111, *Towing vehicles from private property*, Section 46-2-112, *Inspection of storage lot by Department and other authorized City agents; requirements of tow company and storage lot*, Section 46-2-113, *Recovery of abandoned, stolen, or suspected stolen vehicles*, Section 46-2-114, *Administrative fees*, and, Section 46-2-115, *Methods of payment accepted; receipt required*; to provide for a safe and well-managed vehicle towing system for non-consensual vehicle tows that requires Department involvement and authorization for tows from private property, allows for the collection of administrative fees for tows from private property, allows for inspection of impound yards, requires certain methods of payment be accepted, authorizes that the police authorized tow rates be set by City Council, provides for an administrative fee for police authorized tows, and requires disconnection of vehicle from tow truck prior to removal upon payment of a service fee. **INTRODUCE (REPORTED OUT OF THE PUBLIC HEALTH AND SAFETY STANDING COMMITTEE ON 9-13-21)**

5. **Jones**, reso. autho. Setting a Public Hearing on the forgoing ordinance amendment. **(REPORTED OUT OF THE PUBLIC HEALTH AND SAFETY STANDING COMMITTEE ON 9-13-21)**

**OFFICE OF THE CHIEF FINANCIAL OFFICER/OFFICE OF DEVELOPMENT AND GRANTS**

6. **Benson**, reso. autho. To Accept and Appropriate the FY 2022 Centers for Disease Control (CDC) COVID Immunizations Grant. **(The Michigan Department of Health and Human Services has awarded the City of Detroit Health Department with the FY 2022 Centers for Disease Control (CDC) COVID Immunizations Grant for a total of \$4,430,279.00. There is no required match. The total project cost is \$4,430,279.00. The grant period is October 1, 2021 through September 30, 2022.) (REPORTED OUT OF THE PUBLIC HEALTH AND SAFETY STANDING COMMITTEE ON 9-13-21)**
7. **Benson**, reso. autho. To Accept and Appropriate the Coolidge Terminal and Maintenance Facility Reconstruction Grant. **(The Federal Transit Administration has awarded the City of Detroit Department of Transportation with the Coolidge Terminal and Maintenance Facility Reconstruction Grant in the amount of \$13,136,038.00. There is a required State match for the award, from the Michigan Department of Transportation, in the amount of \$3,284,010.00.**

**The total Federal and State award amount is \$16,420,048.00. There is no local match requirement. The total project cost is \$16,420,048.00.) (REPORTED OUT OF THE PUBLIC HEALTH AND SAFETY STANDING COMMITTEE ON 9-13-21)**

8. **Benson, reso. autho. To submit a grant application to the Michigan Department of Environment, Great Lakes, and Energy for the FY 2021 Fuel Transformation Grant. (The Department of Public Works is hereby requesting authorization from Detroit City Council to submit a grant application to the Michigan Department of Environment, Great Lakes, and Energy for the FY 2021 Fuel Transformation Grant. The amount being sought is \$1,119,349.39. The State share is \$1,119,349.39 of the requested amount, there is a required cash match of \$479,721.17. The total project cost is \$1,599,070.56.) (REPORTED OUT OF THE PUBLIC HEALTH AND SAFETY STANDING COMMITTEE ON 9-13-21)**
9. **Benson, reso. autho. To Accept and Appropriate the FY 2022 Epi Lab Capacity (ELC) COVID-19 Infection Prevention Grant. (The Michigan Department of Health and Human Services has awarded the City of Detroit Health Department with the FY 2022 Epi Lab Capacity (ELC) COVID-19 Infection Prevention Grant for a total of \$337,500.00. There is no match required. The total project cost is \$337,500.00. The grant period is October 1, 2021 through September 30, 2022.) (REPORTED OUT OF THE PUBLIC HEALTH AND SAFETY STANDING COMMITTEE ON 9-13-21)**
10. **Benson, reso. autho. The Detroit Public Safety Foundation Request to accept the Support Fund Grant from Everytown for Gun Safety Support Fund Inc. (Everytown for Gun Safety Support Fund Inc. has awarded the Detroit Public Safety Foundation (DPSF) with the Support Fund Grant for a total of \$100,000.00. There is no match requirement. The total project cost is \$100,000.00.) (REPORTED OUT OF THE PUBLIC HEALTH AND SAFETY STANDING COMMITTEE ON 9-13-21)**
11. **Benson, reso. autho. To Accept and Appropriate the Low-No Battery Electric Buses and Associated Infrastructure Grant. (The Federal Transit Administration has awarded the City of Detroit Department of Transportation with the Low-No Battery Electric Buses and Associated Infrastructure Grant in the amount of \$1,807,000.00. There is a required State match for the award, from the Michigan Department of Transportation, in the amount of \$269,222.00. The total Federal and State award amount is \$2,076,222.00. There is no local match requirement. The total project cost is \$2,076,222.00.) (REPORTED OUT OF THE PUBLIC HEALTH AND SAFETY STANDING COMMITTEE ON 9-13-21)**
12. **Benson, reso. autho. To submit a grant application to the Michigan Department of Environment, Great Lakes, and Energy for the FY 2021 Recycling Infrastructure**

**Grant. (The Department of Public Works is hereby requesting authorization from Detroit City Council to submit a grant application to the Michigan Department of Environment, Great Lakes, and Energy for the FY 2021 Recycling Infrastructure Grant. The amount being sought is \$202,650.00. The State share is \$202,650.00 of the requested amount, there is a required cash match of \$86,850.00. The total project cost is \$289,500.00.) (REPORTED OUT OF THE PUBLIC HEALTH AND SAFETY STANDING COMMITTEE ON 9-13-21)**

#### **GENERAL SERVICES DEPARTMENT**

13. **Tate, reso. autho. Correction of Purchase Price of 821 Philadelphia, Detroit, Michigan 48202 - (Jennifer Kindseth Parcel) (On May 18, 2021, your Honorable Body authorize the purchase of 821 Philadelphia, Detroit, Michigan 48202 (the "Property") from the owner Jennifer Kindseth to provide for a planned park ("Park Project). It has come to our attention that the Purchase Price was issued in error. Accordingly, the Purchase Price of for Nine Thousand and 00/100 Dollars (\$9,000.00) should be amended to show Ten Thousand and 00/100 Dollars (\$10,000.00). We, therefore request that your Honorable Body adopt the attached resolution authorizing an amendment to the purchase resolution to reflect the correct purchase price.) (REPORTED OUT OF THE PLANNING AND ECONOMIC DEVELOPMENT STANDING COMMITTEE ON 9-9-21)**

#### **HOUSING AND REVITALIZATION DEPARTMENT**

14. **Tate, reso. autho. Approving the Establishment of a Neighborhood Enterprise Zone as requested by The Beauton, LLC in the area of 503, 509, 515, 521 Horton Street & 7414 Beaubien, Detroit, MI in accordance with Public Act 147 of 1992. (Petition #1387) (The Housing and Revitalization Department, Planning and Development Department and the Finance Department have reviewed the Master Plan and the neighborhood preservation and development goals of the City, and find that establishment of the Core City Neighborhood Enterprise Zone would be consistent with all of the aforementioned.) (REPORTED OUT OF THE PLANNING AND ECONOMIC DEVELOPMENT STANDING COMMITTEE ON 9-9-21)**
15. **Tate, reso. autho. Approving the Establishment of a Neighborhood Enterprise Zone as requested by Lafayette Acquisition Partners, LLC in the area of 1401 Rivard St., Detroit, MI in accordance with Public Act 147 of 1992. (Petition #486) (The Housing and Revitalization Department, Planning and Development Department and the Finance Department have reviewed the Master Plan and the neighborhood preservation and development goals of the City, and find that establishment of the Lafayette Acquisition Partners, LLC Neighborhood Enterprise Zone would be consistent with all of the aforementioned.) (REPORTED OUT OF THE PLANNING AND ECONOMIC DEVELOPMENT STANDING COMMITTEE ON 9-9-21)**

16. **Tate**, reso. autho. Approving the Establishment of a Neighborhood Enterprise Zone as requested by New Old School, LLC in the area of 4601 – 4657 15th Street (odd numbers only), 4602 16th Street, 2330 W. Forest, 4608 16th Street, 4616 16th Street, and 4646 16th Street, Detroit, MI in accordance with Public Act 147 of 1992. **(Petition #1402) (The Housing and Revitalization Department, Planning and Development Department and the Finance Department have reviewed the Master Plan and the neighborhood preservation and development goals of the City, and find that establishment of the Core City Neighborhood Enterprise Zone would be consistent with all of the aforementioned.)** Petitioner, Law Department, Legislative Policy Division, Housing and Revitalization Department, Assessors Office, and City Planning Commission) **(REPORTED OUT OF THE PLANNING AND ECONOMIC DEVELOPMENT STANDING COMMITTEE ON 9-9-21)**

#### **LEGISLATIVE POLICY DIVISION**

17. **Benson**, reso. autho. In Support of Additional City Flood Response Funding. **(Council Member Raquel Castañeda-López requested that the Legislative Policy Division (LPD) draft a RESOLUTION IN SUPPORT OF ADDITIONAL CITY FLOOD RESPONSE FUNDING. Attached, please find the requested resolution.)** **(REPORTED OUT OF THE PUBLIC HEALTH AND SAFETY STANDING COMMITTEE ON 9-13-21)**

#### **PLANNING AND DEVELOPMENT DEPARTMENT**

18. **Tate**, reso. autho. Property Sale - by Detroit Land Bank Authority - North End Landings LLC - Development: 259, 267, 271, 277, 282, 299, 303, 306, 307, 312, 313, 319, 325 Smith - 525, 529, 535, 545, 555, 561 E. Bethune - 309, 313, 319 E. Bethune - 405, 409 Smith - 7718, 7719 Brush. **(Pursuant to the Second Amended and Restated Memorandum of Understanding (“MOU”) between the City of Detroit and the Detroit Land Bank Authority (“DLBA”), approved by your Honorable Body on May 19, 2020, the DLBA may not transfer ten (10) or more parcels of property received from the City to the same transferee within any rolling 12 month period without the prior approval of the Mayor and City Council.)** **(REPORTED OUT OF THE PLANNING AND ECONOMIC DEVELOPMENT STANDING COMMITTEE ON 9-9-21)**
19. **Tate**, reso. autho. Property Sale - 16703, 16711, & 16715 E Warren **(The City of Detroit, Planning and Development Department (“P&DD”) has received an offer from 16703 Warren BD LLC (“Purchaser”), a Michigan limited liability company, to purchase certain City-owned real property at 16703, 16711, and 16715 E Warren (the “Properties”). The P&DD entered into a purchase agreement, dated August 19, 2021, with Purchaser. Under the terms of the proposed purchase Seventy Five Thousand and 00/100 Dollars (\$75,000.00).)** **(REPORTED OUT OF THE PLANNING AND ECONOMIC DEVELOPMENT STANDING COMMITTEE ON 9-9-21)**

20. **Tate, reso. autho. Property Sale - 17514 Woodward (The City of Detroit, Planning and Development Department (“P&DD”) has received an offer from Enrico Rosselli (“Purchaser”), to purchase certain City-owned real property at 17514 Woodward (the “Property”). The P&DD entered into a purchase agreement, dated June 18, 2021, with Purchaser. Under the terms of the proposed purchase agreement, the Property will be conveyed to Purchaser for the purchase price of Twenty Seven Thousand and 00/100 Dollars (\$27,000.00).) (REPORTED OUT OF THE PLANNING AND ECONOMIC DEVELOPMENT STANDING COMMITTEE ON 9-9-21)**
21. **Tate, reso. autho. Property Sale - 21533 W Grand River (The City of Detroit, Planning and Development Department (“P&DD”) has received an offer from The Nevele Company, LLC (“Purchaser”), a Michigan limited liability company, to purchase certain City-owned real property at 21533 W Grand River (the “Property”). The P&DD entered into a purchase agreement, dated August 17, 2021, with Purchaser Under the terms of the proposed purchase agreement, the Property will be conveyed to Purchaser for the purchase price of Fifty Thousand and 00/100 Dollars (\$50,000.00).) (REPORTED OUT OF THE PLANNING AND ECONOMIC DEVELOPMENT STANDING COMMITTEE ON 9-9-21)**
22. **Tate, reso. autho. Correction of Purchaser’s Name on Sale – 2811 Dubois (On March 3, 2020, your Honorable Body authorized the sale of property located at 2811 Dubois, consisting of vacant land measuring 4400 square feet and zoned B6 (General Services District), to People's Restaurant Equipment Co. LLC, a Michigan Limited Liability Company, for the amount of \$12,000. In error, the purchaser's name was stated incorrectly. We, therefore, request that your Honorable Body amend the sale and authorize the Director of the Planning and Development Department, or his authorized designee, to show the correct name of the purchaser for the sale as People's Store Fixture Company, Inc., a Michigan Corporation.) (REPORTED OUT OF THE PLANNING AND ECONOMIC DEVELOPMENT STANDING COMMITTEE ON 9-9-21)**

**PRESIDENT’S REPORT ON STANDING COMMITTEE REFERRALS AND OTHER MATTERS:**

**INTERNAL OPERATIONS STANDING COMMITTEE**

***THE FOLLOWING ITEM(S) ARE TO BE REFERRED TO THE INTERNAL OPERATIONS STANDING COMMITTEE:***

**LAW DEPARTMENT**

23. **Submitting memorandum relative to Cariol's Law Request. (The Law Department has submitted a privileged and confidential memorandum, dated September 10, 2021, regarding the above referenced matter.)**

24. Submitting reso. autho. **Settlement** in lawsuit of Smith, Jr., Edward v City of Detroit DDOT; Case No. 19-002524-NF, File No. L19-00151 (SVD) in the amount of **\$60,000.00** in full payment for any and all claims which Edward Smith Jr. may have against the City of Detroit and any other City of Detroit employees by reason of alleged injuries sustained.

**NEIGHBORHOOD AND COMMUNITY SERVICES STANDING COMMITTEE**

***THE FOLLOWING ITEM(S) ARE TO BE REFERRED TO THE NEIGHBORHOOD AND COMMUNITY SERVICES STANDING COMMITTEE:***

**MAYOR'S OFFICE**

25. Submitting reso. autho. Petition of Third Man Records (**#1474**), request to hold a pop - up retail event at 441 W. Canfield in conjunction with the DLECTRICITY activation on September 24, 2021 from 12:00pm - 7:00pm; with a DJ and Third Man Records merchandise for sale. **(The Mayor's Office and all other involved City Departments RECOMMEND APPROVAL of this petition.)**
26. Submitting reso. autho. *amended* Petition of Courageous, Inc. (**#1490**), requesting to host Soul Day at the 12901 Auburn Street location from 10:00am - 9:00pm every Friday - Sunday; with food, drinks, vendors and local live entertainment. **(The Mayor's Office and all other involved City Departments RECOMMEND APPROVAL of this petition.)**
27. Submitting reso. autho. Petition of Midtown Detroit, Inc. (**#1549**), request to hold DLECTRICITY, the biannual night time festival of art and technology from 7:00 pm until 12:00 am at Detroit Cultural center and DTE Beacon Park from September 24 - September 25 2021 with 40 installations, 2 music stages, food and drink. **(The Mayor's Office and all other involved City Departments RECOMMEND APPROVAL of this petition.)**
28. Submitting reso. autho. Petition of Detroit Riverfront Conservancy (**#1550**), request to hold "2021 West Riverfront Weekend" at West Riverfront Park from September 17, 2021 - September 19, 2021 with different beginning and ending times for each day. **(The Mayor's Office and all other involved City Departments RECOMMEND APPROVAL of this petition.)**

**PUBLIC HEALTH AND SAFETY STANDING COMMITTEE**

***THE FOLLOWING ITEM(S) ARE TO BE REFERRED TO THE PUBLIC HEALTH AND SAFETY STANDING COMMITTEE:***

**OFFICE OF THE CHIEF FINANCIAL OFFICER/OFFICE OF DEVELOPMENT AND GRANTS**

29. Submitting reso. autho. To Accept and Appropriate the FY 2022 Epi Lab Capacity Contact Tracing, Case Investigation, Testing Coordination, Violation Monitoring,

and Wrap Around Services Grant. **(The Michigan Department of Health and Human Services has awarded the City of Detroit Health Department with the FY 2022 Epi Lab Capacity Contact Tracing, Case Investigation, Testing Coordination, Violation Monitoring, and Wrap Around Servicesg Grant for a total of \$1,360,608.00. There is no required match. The total project cost is \$1,360,608.00. The grant period is October 1, 2021 through September 30, 2022.)**

30. Submitting reso. autho. To Accept and Appropriate the FY 2022 Highway Research Planning and Construction Grant. **(The Michigan Department of Transportation has awarded the City of Detroit Department of Public Works with the FY 2022 Highway Research Planning and Construction Grant for a total of \$750,000.00. The State share is 80 percent or \$750,000.00 of the approved amount, and a there is a required cash match of 20 percent or \$187,500.00. The total project cost is \$937,500.00.)**

#### **MISCELLANOUS**

31. **Council Member Raquel Castañeda-López** submitting memorandum relative to 4900 Block of Martin Street Traffic Study.
32. **Council President Brenda Jones** submitting memorandum relative to Inspector Safety Precautions.
33. **State Bar of Michigan** submitting memorandum relative to Follow up on Discriminatory Lack of ADA Compliant Restrooms Coleman A. Young Municipal Center (CAYMC). **(Immediately before the pandemic, we delivered the attached letter describing the deplorable lack of ADA restrooms. Although the Building Authority informed us of a possible engineering study as to the basement, we have no infonnation to indicate any of the restrooms have been retrofitted to comply with the law or the Settlement between the City and the United States Department of Justice.)**

#### **TESTIMONIAL RESOLUTIONS AND SPECIAL PRIVILEGE**

34. **Jones**, Testimonial Resolution for Mrs. Mary Sabina Winters Futch ‘In Recognition of Your Centennial 100<sup>th</sup> Birthday’.
35. **Jones**, Resolution in Memoriam for Dr. O’Neil D. Swanson, Jr.